UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
2153	

DATE MAILED: 03/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 January 2006</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-32</u> is/are pending in the application.

    4a) Of the above claim(s) <u>15</u> is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-14 and 16-32</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>3/2002</u>.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Response to Amendment

Applicant's arguments filed on January 05, 2006 have been considered and are not deemed persuasive.

Response to Arguments

In response to applicant's arguments in page 10, first paragraph that "Applicants note that Picard et al. teaches Data format conversion, such as conversion of facsimile message information to text. (Col. 11, lines 17-27). However, Picard et al. fails to teach an instruction or command syntax conversion as recited in amended claim 1." Examiner notes that Picard, in addition to converting data, discloses generating an integrated message inventory. This is done through the use of a POP session between the VMS 68 and the EMS(s) 66. The VMS 68 logs into the POP server on behalf of the subscriber (POP USER and PASS commands), queries the EMS inventory (POP LIST command) and merges it with the local inventory... To select a message for retrieval, the subscriber interface may use POP (for MUA interfaces), an HTTP GET method (for web browser interface access), or enter DTMF commands (for voice access). In any event, the VMS 68 maps the subscriber-requested message ID or URI to the EMS message ID, or to an internal message ID. If the message is on the EMS 66, the EMS 66 uses POP to retrieve the message from the VMS 68 (POP RETR <msg id>command), and outputs it to the subscriber. If the message resides on the VMS 68, it is simply retrieved and played. Data conversions, if necessary, are performed as described earlier. (Col. 13, lines 11-62). Therefore, using http Get

command for web browser interface access and DTMF commands for voice access in retrieving

and outputting messages implies converting these command syntaxes.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as
> set forth in section 102 of this title, if the differences between the subject matter sought to be
> patented and the prior art are such that the subject matter as a whole would have been obvious at
> the time the invention was made to a person having ordinary skill in the art to which said subject
> matter pertains. Patentability shall not be negatived by the manner in which the invention was
> made.

Claims 1-14 and 16-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Applicant's Admitted Prior Art (hereinafter "AAPA") in view of Mitchell et al US. Patent

Number 6230181 (hereinafter "Mitchell) and further in view of Picard et al US. Patent Number

(6233318)

As per claim 1, AAPA teaches a messaging system capable of streaming data comprising (fig.

1):

at least one host computer (host computer 110), said host computer comprising a

messaging platform (messaging platform 115) upon which messaging applications are executed

and a message store for storing messages received by said messaging platform (storage 130);

at least one network interface unit (fig. 1. 140) having a first interface (INT1) to the

messaging platform on the host computer for communicating between said NIU and said

messaging platform (page 2, lines 12-16 see fig. 1) and a second interface (INT2 and INT3) to a

telephone network (PSTN 155 of prior fig. 1) for receiving calls from said telephone network

(page 2,21-27);

Although AAPA shows substantial features of the claimed invention, AAPA does not explicitly

show an embedded services processor (ESP) operatively coupled to a first and second interfaces

of a network interface unit.

Nonetheless, this feature is well known in the art and would have been an obvious modification

of the system disclosed by AAPA, as evidenced by Mitchell US Patent Number (6230181).

In analogous art, Mitchell whose invention is about an embedded system with general purpose

computing environment, disclose an embedded system for providing network communications

control operatively coupled to multiple interfaces for communicating to external computer

networks via network 28 (see system 10, fig. 2 and interfaces 28, 22,24-27 col. 3, lines 47 to col.

4, line 6 and col. 4, line 66 to col. 5, line 26). Giving the teaching of Mitchell, a person of

ordinary skill in the art would have readily recognized the desirability and the advantage of

modifying AAPA by including the embedded system of Mitchell in the NIU of AAPA. One

ordinary skill in the art would be motivated to use such a communication access device with the

integral general purpose computing platform because it provides a substantial advancement in

the features and capabilities of a communication access device with improved remote access

services for information that is stored in the memory of the general purpose computing platform.

Michell further teaches the ESP comprising a processor, a memory, and an operating system

(col. 4, line 6 and col. 4, line 66 to col. 5, line 26).

   wherein said ESP is operable to execute a data streaming software application, said data

streaming software application operating on said ESP to execute one ore more instructions that

allow for the communication of data and operation of functions from said computer networks

with said host computer and vice versa (col. 3, lines 17 to col. 4, line 6 and col. 4, line 66 to col.

5, line 26 Mitchell).

Although AAPA and Michell show substantial features of the claimed invention, including using

Internet browsers applications and downloading programs via LAN or WAN connections (See

col. 3, lines 34-37 and col. 5, lines 9-26), they do not explicitly show a command conversion

module, said command conversion module converting commands from said messaging platform

to commands consistent with said external computer networks Syntax and vice Versa (col. 10,

lines 29 to col. 11, line 27).

Nonetheless, this feature is well known in the art and would have been an obvious modification

of the system disclosed by AAPA and Mitchell, as evidenced by Picard et al US. Patent Number

(6233318).

In analogous art, Picard teaches a network interface that supports an IP protocol for

communicating between an ESP and a network external to a messaging system for accessing

multimedia information via the internet or intranet (fig. 6, lines 7-34) and command conversion

module, said command conversion module converting commands from said messaging platform

to commands consistent with said external computer networks Syntax and vice Versa (col. 10,

lines 29 to col. 11, line 27 and col. 13, lines 11-62). Giving the teaching of Picard, a person of

ordinary skill in the art would have readily recognized the desirability and the advantage of

modifying AAPA and Mitchell by employing the unified messaging system of Picard. One

ordinary skill in the art would be motivated to use such a unified messaging system with a

command conversion module because it has the ability to perform data type conversions

automatically, in support of transparent multi-terminal user access, or upon subscriber explicit

request.

As per claim 2, Picard teaches a network interface that supports an IP protocol for

communicating between an ESP and a network external to a messaging system for accessing

multimedia information via the internet or intranet (fig. 6, lines 7-34).

As per claim 3, Picard teaches the invention, wherein said network interface comprises an

Internet Protocol (IP) Socket Proxy (col. 14, lines 47-52).

As per claim 4, Picard teaches the invention, wherein said Internet Protocol (IP)

Socket Proxy comprises a Winsock Proxy (col. 14, lines 47-52).

As per claim 5, Michell teaches the invention, wherein said operating system of said ESP

comprises the Microsoft Windows NT operating system (col. 1, lines 57-62 and col. 3, lines 29-

36).

As per claim 6, Picard teaches the invention, wherein said data streaming software application

comprises:

a communication interface module, said communication interface facilitating the, communication of data between said messaging platform and said external computer networks (see fig. 4 and (fig. 6, lines 7-34); and

As per claim 7, Picard teaches the invention, wherein said communication interface module comprises a socket manager controlling data communication sockets used for the communication of data from external computer networks to said messaging platform and vice versa (col. 13, lines 11-40; col. 14, lines 1062 and col. 16, lines 9-45).

As per claim 8, Michell teaches the invention, wherein said communication interface module is coupled to said external computer networks via a communications network, said communications network comprising any of a fixed-wire LAN, a wireless LAN, a fixed wire WAN, a wireless WAN, an fixed wire intranet, a wireless intranet, a fixed wire extranet, wireless extranet, the Internet, and the wireless Internet (fig. 2 and interfaces 28, 22,24-27 connecting to different networks).

As per claim 9, Picard teaches the invention wherein said command conversion module cooperates with said communication interface module to communicate data to and from said messaging platform from and to said external computer networks.

As per claims 9-12, Picard as modified teaches the invention, wherein said command conversion module further comprises a messaging platform-external computer network command

conversion module an external computer network-messaging platform, said messaging-platform-

external computer network command conversion module converting commands from said

messaging platform to commands consistent with said external computer networks, and said

external computer network-messaging platform command conversion module converting

commands from said external computer networks to commands consistent with said messaging

platform (col. 10, lines 29 to col. 11, line 27. see abstract and figs 4-6 Picard).

As per claims 13 and 18, Picard teaches the invention, wherein said external computer networks

comprise Web clients capable of providing commands to said NIU and displaying communicated

from said NIU (fig. 4 and col. 10, lines 29 to col. 11, line 27).

As per claims 14-16 and 19, these claims have similar limitations as claim 1 above, therefore,

they are rejected with the same rationale.

As per claim 17, Picard teaches the invention, wherein said communication protocol and

standards realized by an IP socket manager residing on said data streaming software application

to transfer data between said ESP and said external computer networks (col. 13, lines 11-40; col.

14, lines 1062 and col. 16, lines 9-45).

As per claims 20-25, these claims have similar limitations as claims 1 and 9-12 combined.

Therefore, they are rejected with the same rationale. As for the particular commands of get and

put (See Picard col. 9, lines 40 to col. 10, lines 59 "the Hypertext Transfer Protocol (HTTP) is

the preferred protocol since it is the one used to interface with standard web browsers. It is a

simple request/response protocol which uses TCP/IP. Requests (called methods) are provided to

get and create objects (real or synthesized data), and to do other operations in support of

navigating a global, interconnected set of information. The subjects of the methods are identified

by a Universal Resource Identifier (URI) or Locator (URL) which specifies the location

(including the Internet name of the host where the information is stored) and the means to access

the object. Responses are returned to a requester in MIME-compatible format, so the MIME

content-type and content-encoding can be determined by the requester, and the object presented

in the appropriate way. To actually provide the "web" of connected objects, specially-formatted

text scripts or templates, using the Hypertext Markup Language (HTML), are used. These "web

pages" can have embedded links to other objects (systems/hosts), as well as presentation control

capabilities. The browser follows these links by using the linked object's URI to send a GET

request to the host identified in the URI, when the user selects the URI. By putting links to

further pages (HTML static documents, or dynamically synthesized documents) in a web page, a

hierarchical organization of information can be established."

As per claims 26-28, Picard teaches the invention, wherein said data streaming software

application comprises:

a data streaming service (DSS), said data streaming service manager processing and

responding to commands communicated from cooperating Web clients of said external computer

networks; and a data streaming DLL (DSD), said DSD cooperating with said DSS to process said

Web client commands and wherein said DSD converts commands originating from said Web

clients of said external computer networks into a command type capable of being processed by

said host computer (fig. 4 col. 10, lines 29 to col. 11, line 27. see abstract and figs 4-6 Picard).

"During a typical message retrieval function, the unit 146 accesses a master control unit 148 over

an internal dual channel Ethernet 149 to locate the storage location of the various types of

messages stored for a subscriber and generates a web page which is transmitted to the personal

computer 142 and which includes a list of the messages. The user selects a message in a

conventional fashion by double clicking on a message descriptor or selecting the message and

clicking on an appropriate icon such as "Play" in the display of the browser 144. The unit 146

responds by obtaining the selected message from the application-processing unit 150 that stores

the message, converting the message into the proper format and transmitting it. In the case of

voice messages the voice data is converted from the encoding for storage into a file in the

encoding for playing used by a conventional audio application executable by the browser 144

such as the preferred ActiveMovie from Microsoft and streamed to the browser 144 where it is

played as it is received. For facsimile and other text messages a tiff file is created and transmitted

to the browser 144. For video messages the video data, if necessary, is converted into the avi,

mpg, mpeg, cu, etc. file formats that allow the data to be streamed to the browser and displayed

in a pop-up window in real-time as it arrives. That is, video as well as audio messages are played

or displayed as received by the computer 142. During play back the user can perform the

conventional functions of rewinding, pausing, fast-forwarding, skipping, etc. The user can also

perform operations associated with saving the message, deleting it or forwarding it to others."

(See Picard Col. 16, lines 9-45)

As per claim 29, Picard teaches the invention, wherein said DSD communicates commands

originating from said Web clients of said external networks and converted commands to said

host computer and vice versa through a MultiBus (See figs. 4-6; col. 10, lines 29 to col. 11, line

27 and Col. 16, lines 9-45).

As per claim 30, Picard teaches the invention further comprising at least one thread, said one

thread executing said DSS and said DLL; DSS thread manager, said DSS thread manager

cooperating with said at least one threads to route any of data, commands, and operations for

processing by said thread to realize data streaming services (Picard teaches process for executing

application routines to realize data streaming services col. 10, lines 29 to col. 11, line 27 and Col.

16, lines 9-66).

As per claim 31, Picard teaches the invention, wherein said NIU communicates to said external

computer networks through at least one TCP/IP network operating the TCP/IP communications

protocol (fig. 4 see the connection between 106 and Internet 112).

Conclusion

1.   **ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the

extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE**

MONTHS from the mailing date of this action. In the event a first reply is filed within **TWO**

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this

final action.

The prior made of record and not relied upon is considered pertinent to applicant's

disclosure.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Yasin Barqadle whose telephone number is 571-272-3947. The

examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone numbers for the

organization where this application or proceeding is assigned are 703-872-9306 for regular

communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-305-3900.

Information regarding the status of an application may be obtained form the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either private PAIR or public PAIR system. Status information for

unpublished applications is available through private PAIR only. For more information about the

PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YB

Art Unit 2153

KRISNA LIM
PRIMARY EXAMINER